

REMARKS/ARGUMENTS

Favorable consideration of this application in light of the following discussion is respectfully requested.

The Notice of Non-Compliant Amendment dated November 4, 2008 requested a “listing of the claims with appropriate status identifiers.” In response, a listing of the claims with the appropriate status identifiers is hereby submitted.

As discussed with Examiner Burch on December 2, 2008, the claims are not being currently amended by the present response and thus it is respectfully submitted that a current claim listing is not required. However, in order to clarify the record and further prosecution, a current claim listing is provided herewith. As Claims 70-94 are drawn to the non-elected invention, these claims are hereby listed as “Withdrawn” in compliance with 37 C.F.R. § 1.142(b) and MPEP 714 II.C.(A).

Accordingly, it is respectfully submitted that the present response is proper and should be fully considered on the merits.

The Office Action dated June 13, 2008, contained a Restriction requirement. In response to the Restriction requirement, Applicants elect, without traverse, Group 1 corresponding to Claims 48-69. Applicants make this election based on the understanding that Applicants are not prejudiced against filing one or more divisional applications that cover the non-elected claims.

Accordingly, an early and favorable consideration of Claims 48-69 is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

Philippe J.C. Signore, Ph.D.  
Attorney of Record  
Registration No. 43,922

Colin B. Harris  
Registration No. 58,969

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)